

# YARD SALE APPLICATION

TOWN CLERK'S OFFICE  
343 Highland Rd, Tiverton RI 02878  
(401) 625-6703



**NO FEE**

## Instructions

Please Answer questions **A** through **F** below and attest your statement is true by signing the box in question **G**. Please provide the date/dates of the Yard Sale, **Sign** and **Date** the form below and provide your address and **submit to the Town Clerk's Office**. *There is no fee for this application. Please Note: A Copy of this form will be given to the Tiverton Police Department. You are permitted to hold only (4) Four Yard Sale Dates per Calendar Year.*

**A. Name of person conducting sale:**

**B. Name of property owner:**

**C. Location at which sale is to be conducted:**

**D. Date/s of any past sales within same calendar year:**

**E. Relationship or connection applicant may have held with any other person, firm, group, organization, association or corporation conducting said sale and date or dates of said sale:**

*(If this does not apply, please enter N/A)*

**F. Whether or not applicant has been issued any other vendors license by any Local, State or Federal agency:**

*(If Yes, Please state which office)*

**G. Sworn Statement or Affirmation by the person signing that the information therein given is full and true and know to be so:**

*Sign above affirming your statement is true*

Note: (1) IT SHALL BE UNLAWFULL FOR NEW GOODS TO BE SOLD AT SUCH SALE.

Note: (2) GOODS ARE MEANT TO INCLUDE PERSONAL PROPERTY WHICH SHALL MEAN SECOND HAND PROPERTY WHICH IS OWNED, UTILIZED AND MAINTAINED BY AN INDIVIDUAL OR MEMBER OF HIS OR HER RESIDENCE AND ACQUIRED IN THE NORMAL COURSE OF LIVING AND MAINTAINING A RESIDENCE. IT DOES NOT INCLUDE MERCHANDISE WHICH WAS PURCHASED FOR RESALE OR OBTAINED ON CONSIGNMENT.

Date/s of Sale: \_\_\_\_\_

Signature				Name	
	<i>Signature of the Person Submitting this Form</i>				<i>Name of the Person Submitting this Form (print)</i>
Address					
Date of Signature					
	<i>MM</i>		<i>DD</i>		<i>YY</i>

\_\_\_\_\_  
Town Clerk

## **ARTICLE IV. YARD OR GARAGE SALES**

### **DIVISION 1. - GENERALLY**

#### **Sec. 62-91. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Goods* means personal property which shall mean secondhand property which is owned, utilized and maintained by an individual or members of his residence, and acquired in a normal course of living in or maintaining a residence. It does not include merchandise which was purchased for resale or obtained on consignment.

*Yard and garage sales* means all general sales open to the public conducted from or on a lot in a residential zone, as defined in the zoning ordinance, or from or on a lot used for residential purposes, but located in a nonresidential zone, entitled "yard sales," "garage sales," "attic sales," "lawn sales," "back yard sales," or any other similar casual sale of secondhand tangible personal property which is identified by any means whereby the public at large is or can be made aware of such sale.

(Code 1967, § 14A-1)

**Cross reference**— Definitions generally, § 1-2.

#### **Sec. 62-92. Penalty for violation of article.**

Any person conducting any such yard or garage sale without obtaining a permit therefor or who shall violate any of the other terms and regulations of this article shall, upon conviction, be punished in accordance with section 1-7.

(Code 1967, § 14A-10)

#### **Sec. 62-93. Persons and sales not subject to article's provisions.**

The provisions of this article shall not apply to or affect the following persons or sales:

- (1) Persons selling goods pursuant to an order or process of a court of competent jurisdiction;
- (2) Persons acting in accordance with their powers and duties as public officials;
- (3) Any person selling or advertising for sale an item or items of personal property which are specifically named or described in the advertisement and which separate items do not exceed five in number; and
- (4) Any bona fide religious or charitable organization.

(Code 1967, § 14A-5)

#### **Sec. 62-94. Sale of new goods.**

It shall be unlawful for new goods to be sold at any such yard or garage sale.

(Code 1967, § 14A-6)

#### **Sec. 62-95. Termination of sale as fire or traffic hazard.**

The chief of police shall have the authority to terminate any yard or garage sale, the holding of which creates a traffic hazard. The fire chief shall have the authority to terminate any sale, the holding of which creates a fire hazard.

(Code 1967, § 14A-7)

**Sec. 62-96. Restricted to daylight hours.**

Garage sales shall be conducted during daylight hours only.

(Code 1967, § 14A-8)

**Sec. 62-97. Limitation of signs.**

No more than three signs shall be used to advertise such yard or garage sale, which signs shall be removed promptly upon termination of the sale.

(Code 1967, § 14A-9)

**Sec. 62-98. Removal of goods.**

Upon completion of the yard or garage sale for which a permit has been given, all goods not sold must be removed from the front yard of the premises where the sale was held.

(Ord. of 8-15-00(1))

**Secs. 62-99—62-110. Reserved.**

**DIVISION 2. PERMIT**

**Sec. 62-111. Required.**

- (a) It shall be unlawful for any person to conduct a yard sale in the town without first filing an application with the town clerk for a permit to do so. The town clerk shall issue the permit and, upon its issuance, shall notify the chief of police of the location of the sale.
- (b) Application must be made at least three days prior to the date of the sale.

(Code 1967, § 14A-2)

**Sec. 62-112. Frequency of issuance; display.**

- (a) Such permit shall be issued to any person only four times within a 12-month period, and no such permit shall be issued for more than two calendar days.
- (b) Each permit issued under this article must be displayed on the premises upon which the yard sale is conducted throughout the entire period of the sale.
- (c) A yard sale shall not be permitted at any one location, lot, or parcel of land, more than four times within a 12-month period.

(Code 1967, § 14A-3)

**Sec. 62-113. Application procedure; required information.**

The application for a permit shall be made on a form as provided by the town clerk, and shall contain the following information:

- (1) Name of person, firm, group, corporation, association or organization conducting the sale;

- (2) Name of owner of the property on which the sale is to be conducted, and consent of the owner if the applicant is other than the owner;
- (3) Location at which the sale is to be conducted;
- (4) Date of any past sale within same calendar year;
- (5) Relationship or connection the applicant may have had with any other person conducting such sale and the date of such sale;
- (6) Whether or not applicant has been issued any other vendor's license by any local, state or federal agency; and
- (7) A sworn statement or affirmation by the person signing that the information therein given is full and true and known to him to be so.

(Code 1967, § 14A-4)